

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

STEVEN B. McDANIEL,	:	
	:	
Petitioner,	:	
	:	
vs.	:	5:05-CV-69(DF)
	:	
JOHN TWILLINGER,	:	
	:	
Respondent.	:	

ORDER

This order hereby adopts and incorporates the Recommendation that United States Magistrate Judge Claude W. Hicks, Jr. entered in this case on August 3, 2005. Neither party has served or filed written objections to the Magistrate Judge's Recommendation with the Court.

Accordingly, Respondent John Twillinger's Motion to Dismiss Petitioner Steven B. McDaniel's Petition for Writ of Habeas Corpus is hereby **GRANTED** as UNCONTESTED.

SO ORDERED, this 19th day of October, 2005.

/s/ Duross Fitzpatrick
DUROSS FITZPATRICK, JUDGE
UNITED STATES DISTRICT COURT

DF/jab